CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

AUG 1 6 2013

JULIA & DUPLEY, CLERK

Michael J. Cherry,	)	BY: LOBOUTY CLERK
Plaintiff,	) Ci	vil Action No. 7:13-cv-00337
v.	) ) <u>D</u> ]	SMISSAL ORDER
JOHN MILLER, et al.,	) By	: Michael F. Urbanski
Defendant( $s$ ).	)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

## **ORDERED**

that this action is **DISMISSED without prejudice** for plaintiff's failure to comply and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This 16 day of August, 2013. /s/ Michael 7. Urlanski

United States District Judge